

**State of California
Office of Administrative Law**

In re:
Department of Mental Health

Regulatory Action:
Title 9, California Code of Regulations

SECTIONS APPROVED: 4350

**SECTIONS WITHDRAWN: 864, 4100, 4105,
4210, 4300, 4310, 4315, 4320, 4325, 4330,
4340, 4415, 4420**

**NOTICE OF APPROVAL IN PART AND
WITHDRAWAL IN PART OF EMERGENCY
REGULATORY ACTION**

Government Code Section 11349.3

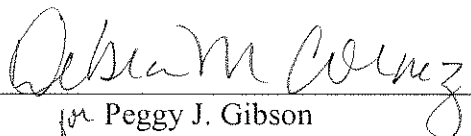
OAL File No. 2009-1015-04 E

The Department of Mental Health (Department) submitted this proposed emergency rulemaking, proposing to adopt in title 9 of the California Code of Regulations, a new chapter 16 titled, "State Hospital Operations." As proposed, the emergency regulations would establish four new articles dealing with general provisions, treatment, safety and security as well as support services for state hospital operations. This proposed emergency rulemaking seeks to adopt regulations covering many different aspects of state hospital operations including: the administration of involuntary antipsychotic medication to patients; visits with patients; transportation of patients; complaints against peace officers; counting of patients; handling of deceased patients; contraband electric devices; the definition of mail; and limitations on mail and packages.

The emergency rulemaking was filed with OAL and posted on OAL's website on October 15, 2009. The Department of Mental Health certified in the emergency filing that they complied with Government Code section 11346.1(a)(2). The five calendar day comment period required pursuant to Government Code section 11349.6(b) ended on October 20, 2009. On October 26, 2009 OAL approved section 4350 of this emergency regulatory action pursuant to sections 11346.1 and 11349.6 of the Government Code. The information provided for section 4350 met the standard for a finding of emergency pursuant to section 11346.1(b)(2) of the Government Code. Proposed sections 864, 4100, 4105, 4210, 4300, 4310, 4315, 4320, 4325, 4330, 4340, 4415 and 4420 were withdrawn from OAL review pursuant to Government Code section 11349.3(c).

Section 4350 as approved herein is effective on 10/26/2009 and will expire on 4/27/2010. The Certificate of Compliance for this action is due no later than 4/26/2010.

Date: 10/26/2009


for Peggy J. Gibson
Staff Counsel

For: SUSAN LAPSLEY
Director

Original: Stephen Mayberg
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